



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

February 10, 2021

By ECF

The Honorable P. Kevin Castel
United States District Judge
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, New York 10007

Application Granted. The conference originally scheduled for February 23, 2021 is adjourned to April 28, 2021 at 11:00 a.m. Time is excluded under the speedy trial act until 4/28/21 for the reasons set forth in the government letter dated February 10, 2021. SO ORDERED.

Dated: 2/10/2021

P. Kevin Castel
United States District Judge

Re: *United States v. Edinuel Rodriguez Polanco and Felipe Gonzalez, 20 CR 237 (PKC)*

Dear Judge Castel,

The Government writes on behalf of the parties to request respectfully a further adjournment of approximately sixty days of the conference set for February 23, 2020 to a date and time that is convenient for the Court. At this time, the parties still anticipate pre-trial dispositions for both defendants but require additional time to achieve those dispositions, principally due to ongoing limitations on the ability of the parties to conduct proffers pursuant to 18 U.S.C. § 3553(f)(5). In particular, since the Court last granted the request of the parties for a similar adjournment on or about December 4, 2020, circumstances arising principally from precautionary quarantines have led to the postponement of multiple such proffers, which require considerable time to reschedule on each occasion. Notwithstanding these delays, the parties are optimistic that one or both defendants will be in a position to enter a change of plea at or before the next conference. With the consent of the defendants, the Government requests respectfully that the Court exclude time under the Speedy Trial Act from February 23, 2020 through the date of any adjournment pursuant to 18 U.S.C. § 3161(h)(7) on the basis that the interests of the public and the defendants in a speedy trial are outweighed here by the interests of the defendants in being able to achieve a pre-trial disposition and to take the steps necessary to effectuate such a disposition,

an exclusion that the Government further submits is appropriate at this time in light of the ongoing national emergency declared over the coronavirus pandemic.

Respectfully,

AUDREY STRAUSS
United States Attorney

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cc: Sylvie Levine (Counsel to Edinuel Rodriguez Polanco) (By ECF)
Eric Franz (Counsel to Felipe Gonzalez) (By ECF)